



STATE OF WASHINGTON

DEPARTMENT OF RETIREMENT SYSTEMS

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Notice to Interested Parties

August 10, 2016

SUBJECT: Rule Adoption, Concise Explanatory Statement, as required by RCW 34.05.325

AMENDED RULES: WAC 415-02-030 Definitions; 415-106-700 What are the return to work rules for PSERS? 415-108-710 What are the return to work rules for PERS Plan 1, Plan 2 and Plan 3? 415-110-710 What are the return to work rules for SERS Plan 2 and Plan 3? 415-112-525 What are the return to work rules for TRS Plan 1, Plan 2, and Plan 3?

NEW RULE: WAC 415-113-300 How is my benefit affected if I return to work after retiring from multiple DRS retirement systems?

REASON FOR ADOPTION: These amendments will update retiree return to work rules, providing better clarification and bringing them into alignment with statutes.

HEARING: August 10, 2016, 10:30 AM

SUMMARY OF COMMENTS: DRS received a written comment from a Teachers' Retirement System Plan 3 member, expressing concerns about the need to supplement her future retirement income with wages from substitute teaching, and the low wages paid to substitute teachers.

AGENCY RESPONSE: Recent legislation partially addresses the member's concerns. ESSB 6455 (Chapter 233, Laws of 2016), permits certain retirees to continue to receive retirement benefits while working as substitutes teachers, only if the school district pays the substitute teacher at least 85 percent of the state's daily allocation rate. The return-to-work rule amendments do not address this change because it is a temporary provision, and because the rule drafts were well under way before the law was passed. Retired teachers who qualify will receive the benefit of the new law, however, without it being addressed in the rules.

Other than implementing the new legislation, DRS does not have any authority to impact wages for substitute teachers. The concerns expressed are beyond the scope of this rule-making action.

DIFFERENCES IN TEXT: The text being adopted is identical to the text as proposed in WSR 16-14-105, filed on July 5, 2016.

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